

BOARD OF SELECTMEN

Minutes of the Meeting of 18 April 2007 at 6:00 PM. The meeting took place in the Court Room, Town and County Building, Nantucket, MA 02554. Members of the Board present were Brian Chadwick, Michael Kopko, Allen Reinhard, Patricia Roggeveen and Whiting Willauer. Chairman Willauer called the meeting to order at 6:00 PM.

Announcements. Town Administrator C. Elizabeth Gibson announced Earth Day on April 22nd and requested that Board members attend a ceremony on that day to sign an Earth Day proclamation. She also noted a rental regulations hearing of the Board of Health on April 23, 2007. She reviewed the paving schedule for Old South Road. Chairman Willauer reviewed upcoming committee openings. He also noted an upcoming boating safety course sponsored by the US Coast Guard Auxiliary on April 24, 2007.

Public Comment. Cheryl Bartlett, Executive Director of the Sconset Beach Preservation Fund, gave an update on SBPF's erosion control project, recent storm effects and clean-up efforts as well as upcoming applications before the Conservation Commission on the proposed beach nourishment project.

Approval of Minutes of 9 April 2007 at 12:00 PM, 4 April 2007 at 6:00 PM, 4 April 2007 at 10:00 PM, and 28 March 2007 at 6:00 PM. The Board approved the minutes by unanimous consent. Ms. Roggeveen and Mr. Reinhard abstained from approving the minutes of 28 March 2007.

Approval of Payroll Warrants for Weeks Ending 8 April 2007 and 15 April 2007. The Board approved the payroll warrants by unanimous consent.

Approval of Treasury Warrant and Pending Contracts for Week Ending 18 April 2007. The Board approved the treasury warrant and pending contracts by unanimous consent.

Public Hearings.

1. Public Hearing to Consider Application for Public Assembly Permit of Nantucket Wine Festival, Inc and Application for Charity Wine License of Nantucket Lighthouse School, Inc for an Event Scheduled for May 19-20, 2007 at Nantucket Yacht Club. Chairman Willauer opened the public hearing. Denis Toner, Nantucket Wine Festival Director, spoke in favor of the request. Chairman Willauer closed the public hearing. Mr. Chadwick moved to approve the applications for the public assembly permit and the charity wine license. Mr. Kopko seconded. So voted unanimously.

2. Public Hearing to Consider Petition for Conduit Location by Nantucket Electric Company for Construction of Underground Electrical Conduit at Washington Street. Chairman Willauer opened the public hearing. Chris Raymond of National Grid spoke in favor of the petition. After some discussion, Chairman Willauer closed the public hearing. Mr. Chadwick moved to approve the petition. Mr. Kopko seconded. So voted unanimously.

3. Public Hearing to Consider Petition for Conduit Location by Nantucket Electric Company for Construction of Underground Electrical Conduit at Fairgrounds Road From Pole 19 to the East Side of Bicycle Path, then Northeasterly to Parcel 67/493. Chairman Willauer opened the public hearing. Chris Raymond of National Grid explained the request and spoke in favor of the petition.

Discussion followed on altering the conduit location from east to west side of the bicycle path and the requirement that the path not be cut. Chairman Willauer closed the public hearing. Mr. Chadwick moved to approve the petition with the amended location. Ms. Roggeveen seconded. So voted unanimously. Mr. Reinhard noted his support of underground wiring in the downtown area and Ms. Gibson reviewed the status of the downtown underground wiring project.

4. Public Hearing to Consider the Application for Transfer of Common Victualler and Seasonal Wine and Malt Beverages Package Store Licenses from Michael W. Fahey dba Fahey's Fine Wine and Food to Roco LLC dba Tutto Sfoggia, Ronald J. Suhanosky, Jr, Manager, for the Premises Located at 49A Pleasant Street. Chairman Willauer opened the public hearing. Alice Fiddian-Green, representing Ronald Suhanosky, spoke in favor of the license transfers. Discussion followed on parking and any business changes. Chairman Willauer closed the public hearing. Mr. Kopko moved to approve the transfers. Mr. Chadwick seconded. So voted unanimously.

5. Public Hearing to Consider the Application for Transfer of Common Victualler and Annual All Alcoholic Beverages Restaurant Licenses from William H. Hutchinson, Inc, dba Hutch's to Nantucket Restaurant Group LLC dba Alice's Restaurant, Linda Peterson Muise, Manager, for the Premises Located at Nantucket Memorial Airport. Chairman Willauer opened the public hearing. Linda Peterson Muise spoke in favor of the license transfers. Discussion followed on the opening schedule. Chairman Willauer closed the public hearing. Mr. Kopko moved to approve the transfers. Ms. Roggeveen seconded. So voted unanimously.

6. Public Hearing to Consider the Discretionary Hours of Sale (Between 8:00 AM and 11:00 AM) for On-Premises Liquor License Holders: Restaurants, Inns/Hotels, Clubs. Chairman Willauer opened the public hearing. Ms. Gibson introduced the matter and gave background information. Local liquor licensee Larry Whelden spoke in favor of an 11 am start time for service. Mr. Kopko spoke in favor of allowing an 8 am service start time. Visitor Services Director Kate Hamilton spoke against the 8 am opening. Discussion followed. Police Chief Bill Pittman suggested consistency among licenses and noted that he has no issues with earlier openings. Chairman Willauer closed the public hearing. Mr. Chadwick moved to set the opening hour for on-premises liquor license holders at 10 am. There was no second. Licensee Marshall Thompson spoke in favor of an 8 am start for Mondays through Saturdays and an 11 am start on Sundays. So moved by Mr. Kopko. Ms. Roggeveen seconded. Discussion followed on the need for the change in opening hours and the Board's ability to revisit the question in the future if needed. So voted with Mr. Kopko, Mr. Reinhard, Ms. Roggeveen and Chairman Willauer voting in favor. Mr. Chadwick voted in opposition.

7. Public Hearing to Consider Downtown One-Way Traffic Flow Changes. Chairman Willauer opened the public hearing. Ms. Gibson introduced the matter, reviewing a map and background and speaking in support of the changes. Discussion followed on parking spaces, a planned traffic study, the need to address the traffic now as supported by the Traffic Safety Workgroup, and bike routes and signage. Chairman Willauer closed the public hearing. Mr. Chadwick moved to leave the directional flows as is until the pending traffic study is completed. Ms. Roggeveen seconded. Discussion followed. Mr. Chadwick and Ms. Roggeveen voted in favor. Mr. Kopko, Mr. Reinhard

and Chairman Willauer voted in opposition to leaving the "roads as is." Mr. Kopko moved to make the changes as proposed. Chairman Willauer seconded. So voted with Mr. Kopko, Mr. Reinhard and Chairman Willauer voting in favor. Mr. Chadwick and Ms. Roggeveen were opposed.

8. Public Hearing Regarding the Final Draft of the Nantucket and Madaket Harbors Plan (continued from 3/21/07 and 2/21/07) Chairman Willauer advised the Board of the request of the Harbor Plan Review Committee to postpone the hearing to allow more time to complete the incorporation of public comments. Ms. Roggeveen moved to continue the hearing to May 16, 2007. Mr. Chadwick seconded. So voted unanimously.

9. Public Hearing to Consider Proposed Taxi/Charter/Limo/Tour Regulations. Chairman Willauer opened the public hearing. Ms. Gibson reviewed the revised regulations. Discussion followed regarding clarification of "related parties," a fee for waiting list applicants, emissions test rejection procedure, adding domestic partners to the legacy provision and an issue relating to hats in the dress code. Steven Cohen commented on the proposed amendments as did Lisa Fisher. Chairman Willauer closed the public hearing. The Board consented to a \$10 annual fee for waiting list applicants; and, to approve the proposed amendments to the regulations as discussed tonight.

Town Administrator's Report.

1. Status Report on Implementation of Four-Way Stop at South Shore and Fairgrounds Roads at Surfside Road. Ms. Gibson and Police Chief William Pittman reviewed the matter, noting that no accidents have occurred and that the feedback has been positive.

2. Scheduling of Special Town Election and Adoption of Special Town Election Warrant. The Board consented to approve the recommendation for a June 5, 2007 special town election for a ballot vote on a debt exclusion override as per the affirmative vote on Article 10 of the 2007 Annual Town Meeting warrant.

Selectmen's Report/Comment.

1. Confirmation of Vote Taken April 9, 2007 on Tax Allocation by Classification and Percentage of Residential Exemption. The Board confirmed its earlier unanimous vote to shift the tax rate of 1.75 to the commercial, industrial and personal property and to adopt a residential exemption of 20%.

2. Appointment of Board of Selectmen Representatives to Workgroups and Commissions. The Board made its appointments to the groups as follows:

Ad Hoc Budget Work Group – Mr. Willauer, Mr. Kopko
Audit Committee – Mr. Willauer, Ms. Roggeveen
Bulk Fuel Study Committee – Mr. Willauer, Mr. Chadwick
Capital Program Committee – Mr. Kopko
Cemetery Commission Work Group – Mr. Reinhard
Community Preservation Committee – Mr. Chadwick
Energy Study Committee Liaison – Mr. Willauer
Grant Review Committee – Ms. Roggeveen

Minutes of the Meeting of 18 April 2007
Page IV

Nantucket Housing Alliance (2) – ON HOLD
OIH Strategic Planning Work Group – Ms. Roggeveen
Sconset Planning Committee – Mr. Chadwick
SHAB Liaison -- Mr. Willauer
Town Government Study Committee – ON HOLD
Designee to Health Dept Re: Tight Tanks & Estuaries Project – Mr. Willauer

3. ATM Articles. Mr. Kopko requested that the final votes on town meeting warrant articles be placed on the Town website.

4. Committee Openings. Mr. Kopko requested that the public hearing for review of committee applicants be re-scheduled from May 16th to another date. Discussion followed on the related details of doing so.

The meeting adjourned at 9:10 PM.

Approved the 2nd day of May 2007.